

PUBLIC NOTICE



US Army Corps
Of Engineers

Omaha District

APPLICANT: SOUTH CREEK VILLAGE
APPLICATION NO: 200330090
WATERWAY: WETLAND
ISSUE DATE: SEPTEMBER 23, 2003
EXPIRATION DATE: OCTOBER 14, 2003

Regulatory Office, 28563 Powerhouse Rd, Room 118, Pierre, SD 57501

21 DAY NOTICE

JOINT NOTICE OF PERMIT PENDING

**US ARMY CORPS OF ENGINEERS
AND**

SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

The application of South Creek Village, Limited Partnership, St. Louis Park, Minnesota, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, US Army Engineer District, Omaha, Nebraska.

The applicant requests authorization to perform fill placement activities in an unnamed drainage way (wetland) in connection with site grading for the construction of a 72 unit housing project (South Creek Village) including construction/extension of East Oakland Street in the Southeast Quarter of Section 7, Township 1 North, Range 8 East, latitude 44-3-21.5246, longitude 103-11-41.9312, Pennington County, South Dakota.

The proposed project will consist of installing drainage structures and grading the site to proposed contours and elevations for the building and street construction. Because of the existing topography of the site and to provide effective storm water drainage, the project construction requires the placement of a 66-inch pipe along with a large amount of cut and fill. The underground drainage pipe will be installed from the existing metering dam in Robbinsdale Park, immediately upstream of the project, to proposed East Oakland Street where a concrete lined channel will be extended to South Dakota Highway 79. Approximately 2.3 acres of the total approximate 2.87 acres of wetland area on the property will be adversely impacted by the project construction. The applicant is considering conceptual plans to provide a combination of on-site mitigation to replace the wetland loss. However, no specific plan has been developed.

The purpose of the project is to provide needed affordable housing in the community and complete the construction of East Oakland Street in Rapid City, a major collector street. The City of Rapid City receives Community Development Block Grant (CDBG) funds as an Entitlement Community

and the City shares some of these Federal funds with sub recipients. The CDBG funds will be used to complete the drainage improvements through the property. In addition, Low Income Housing Tax Credits have been appropriated for the construction of 72 units of affordable housing in Rapid City. Contingent to the Federal assistance, the City has coordinated the proposed project construction with various Federal and state agencies for environmental compliance requirements. East Oakland Street is proposed to be constructed in the location identified on the City's Major Street Plan. The street is classified and has been designed as a collector street per the City's requirements.

The South Dakota Department of Environment and Natural Resources, Division of Environmental Services, 523 East Capitol Avenue, Pierre, South Dakota, 57501-3181, will review the proposed project for state certification in accordance with the provisions of Section 401 of the Clean Water Act. The certification, if issued, will express the State's opinion that the operations undertaken by the applicant will not result in a violation of applicable water quality standards. The South Dakota Department of Environment and Natural Resources hereby incorporates this public notice as its own public notice and procedures by reference (ARSD 74:51:01).

Omaha District will comply with the National Historic Preservation Act of 1966, as amended. The City of Rapid City coordinated the proposed project with the State Historic Preservation Officer (SHPO). In a response statement dated July 21, 2003 (SHPO Project: 030618088F), the SHPO concurred with a determination of "No Historic Properties Affected" by the proposed project construction. However, we will evaluate input by the SHPO and the public in response to this public notice, and we may conduct or require a reconnaissance survey of the permit area or check for unknown historic properties, if warranted.

In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect species designated as threatened or endangered or adversely affect critical habitat. In order to complete our evaluation of this activity, comments are solicited from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the activity will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and, in general the needs and welfare of the people. In addition, the evaluation of the impacts of the project on public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public hearing. The request must be submitted to the US Army Corps of Engineers, South Dakota Regulatory Office, 28563 Powerhouse Road, Room 118, Pierre, South Dakota 57501.

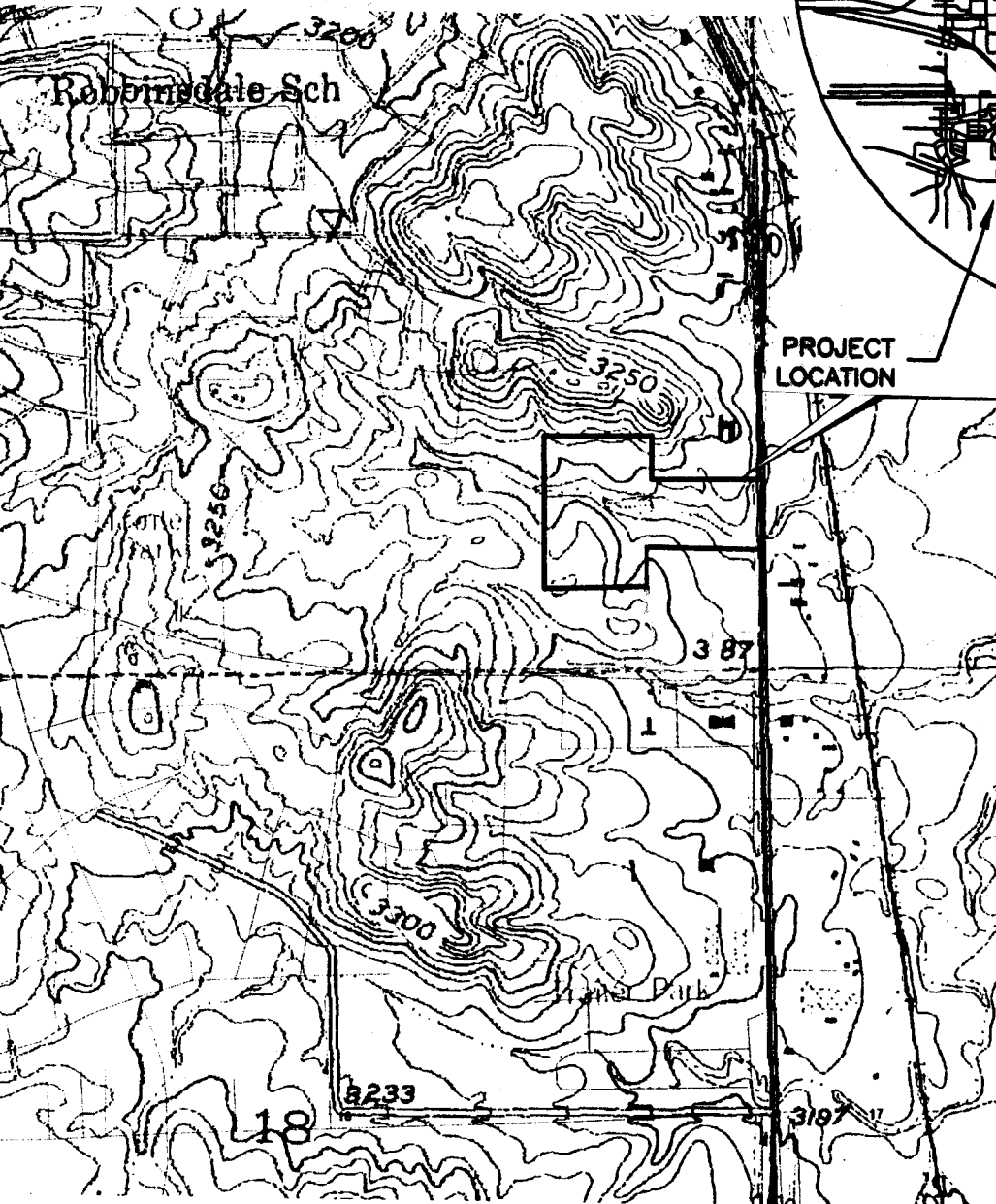
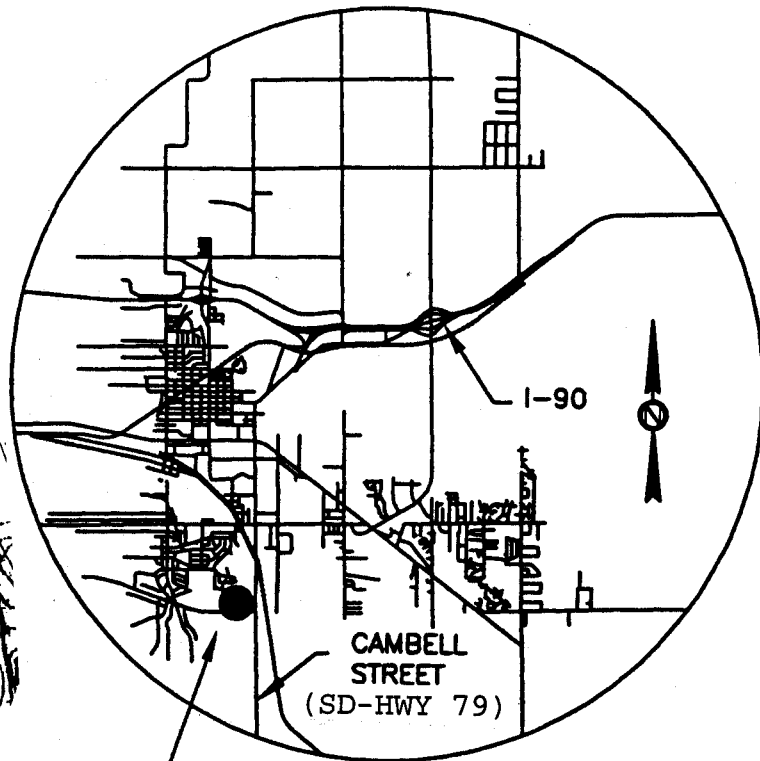
Any interested party (particularly officials of any town, city, county, state, Federal agency, Indian Tribe, or local association whose interests may be affected by the proposed work) is invited to submit to this office, written facts, arguments, or objections on or before October 14, 2003. Any agency or individual having an objection to the proposed work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application. All replies to the public notice should be addressed to the address listed in the previous paragraph. Thomas A. Lowin, telephone number (605) 224-8531, may be contacted for additional information.

Comments received after the close of the business day on the expiration date of this public notice will not be considered.

This project, if authorized, will be under the provisions of Section 404 of the Clean Water Act.

Drawings showing the location and extent of the work are attached to this notice.

VICINITY MAP
OF RAPID CITY, S.D.



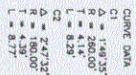
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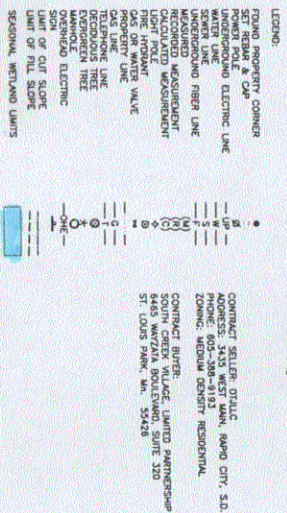
PURPOSE: Housing/Street

APPLICATION BY:
South Creek Village,
Limited Partnership

IN wetland
AT Sec. 7/T1N/R8E
COUNTY Pennington
DATE 9/23/2003
SHEET 1 of 3



CURVE DATA	
C1	$\Delta = 1.49^{\circ}35$
	$R = 260.00'$
	$T = 4.14'$
	$L = 8.29'$
C2	$\Delta = 2.47^{\circ}32$
	$R = 180.00'$
	$T = 4.39'$
	$L = 8.77'$



PURPOSE: Housing/Street
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